## What is claimed is:

- 1. (Currently Amended) A toe engaging apparatus for an interior of a footwear item, the apparatus comprising a panel configured to extend at least partially across a toebox of the interior of the footwear item, the panel being coupled <u>directly</u> to an interior of the footwear item such that the panel is positioned inside the toebox to engage [[an]]a forward edge of at least one of the wearer's toes, said panel being spaced from the toebox at a mid portion thereof absent the wearer's toes forcing said portion into contact with the toebox.
- 2. (Original) The apparatus of Claim 1, wherein the panel includes a flexible material.
- 3. (Original) The apparatus of Claim 2, wherein the panel includes a stretchable material.
  - 4. (Original) The apparatus of Claim 2, wherein the panel includes neoprene.
- 5. (Original) The apparatus of Claim 1, wherein the panel is coupled to the interior of the footwear item using a bonding mechanism.
- 6. (Original) The apparatus of Claim 5, wherein the bonding mechanism includes at least one of stitching, adhesive bonding, and thermal welding.
- 7. (Original) The apparatus of Claim 1, wherein the panel is coupled to the interior of the footwear item at a plurality of points along at least one of a lower edge of the panel and side edges of the panel.
- 8. (Original) The apparatus of Claim 7, further comprising an insole disposed in the interior of the footwear item, wherein the panel is coupled to the insole.
- 9. (Original) The apparatus of Claim 7, wherein the deformable panel is coupled to the interior of the footwear item so that at least a portion of an upper edge of the panel is moveable relative to the inside of the toebox.
- 10. (Currently Amended) A toe engaging apparatus for an interior of a footwear item, the apparatus comprising:

- a panel configured to extend at least partially across a toebox of the interior of the footwear item; and
- an attachment mechanism configured to position the panel in the interior of the footwear item so that the panel is positioned inside the toebox to engage [[an]]a forward edge of at least one of the wearer's toes, said panel being spaced from the toebox at a mid portion thereof absent the wearer's toes forcing said portion into contact with the toebox.
- 11. (Original) The apparatus of Claim 10, wherein the panel includes a flexible material.
- 12. (Original) The apparatus of Claim 11, wherein the panel includes a stretchable material.
  - 13. (Original) The apparatus of Claim 11, wherein the panel includes neoprene.
- 14. (Original) The apparatus of Claim 10, wherein the attachment mechanism includes at least one of stitching, adhesive bonding, and thermal welding.
- 15. (Original) The apparatus of Claim 10, wherein the attachment mechanism joins the panel to the interior of the footwear item at a plurality of points along at least one of a lower edge of the panel and side edges of the panel.
- 16. (Original) The apparatus of Claim 15, further comprising an insole disposed in the interior of the footwear item, wherein the attachment mechanism joins the panel to the insole.
- 17. (Original) The apparatus of Claim 15, wherein the attachment mechanism is configured to flexibly join the panel to the interior of the footwear item so that at least a portion of an upper edge of the panel is moveable relative to the inside of the toebox.
  - 18. (Currently Amended) A footwear lining apparatus comprising:
    - a liner configured to line an interior of a footwear item such that an interior of the liner generally receives a foot of a wearer and an exterior of the liner engages an interior of the footwear item; and
    - a panel configured to extend at least partially across a toebox of the liner, the panel being coupled to the interior of the liner such that the panel is positioned inside the toebox to engage [[an]]a forward edge of at least one

P. 04

of the wearer's toes, said panel being spaced from the toebox at a mid portion thereof absent the wearer's toes forcing said portion into contact with the toebox.

- 19. (Original) The apparatus of Claim 18, wherein the panel includes a flexible material.
- 20. (Original) The apparatus of Claim 19, wherein the panel includes a stretchable material.
  - 21. (Original) The apparatus of Claim 19, wherein the panel includes neoprene.
- 22. (Original) The apparatus of Claim 18, wherein the panel is coupled to the interior of the liner using a bonding mechanism.
- 23. (Original) The apparatus of Claim 22, wherein the bonding mechanism includes at least one of stitching, adhesive bonding, and thermal welding.
- 24. (Original) The apparatus of Claim 18, wherein the panel is coupled to the interior of the liner at a plurality of points along at least one of a lower edge of the panel and side edges of the panel.
- 25. (Original) The apparatus of Claim 24, further comprising an insole disposed in the interior of the liner, wherein the panel is coupled to the insole.
- 26. (Original) The apparatus of Claim 24, wherein the deformable panel is coupled to the interior of the liner such that at least a portion of an upper edge of the panel is moveable relative to the inside of the toebox.
  - 27. (Currently Amended) A footwear system comprising:
    - an upper configured to receive a foot of a wearer, the upper being configured such that toes of the wearer can be at least partially moved without contacting an interior of the upper;
    - an outersole fixably mounted to the upper; and
    - a panel configured to extend at least partially across a toebox of the interior of the upper, the panel being coupled to the interior of the upper such that the panel is positioned inside the toebox to engage [[an]]a forward edge of at least one of the wearer's toes, said panel being spaced from the toebox at a

- OCT-26-2004 13:18

- 28. (Original) The system of Claim 27, wherein the panel includes a flexible material.
- 29. (Original) The system of Claim 28, wherein the panel includes a stretchable material.
  - 30. (Original) The system of Claim 28, wherein the panel includes neoprene.
- 31. (Original) The system of Claim 27, wherein the panel is coupled to the interior of the upper using a bonding mechanism.
- 32. (Original) The system of Claim 31, wherein the bonding mechanism includes at least one of stitching, adhesive bonding, and thermal welding.
- 33. (Original) The system of Claim 27, wherein the panel is coupled to the interior of the upper at a plurality of points along at least one of a lower edge of the panel and side edges of the panel.
- 34. (Original) The system of Claim 33, further comprising an insole disposed in the interior of the upper, wherein the panel is coupled to the insole.
- 35. (Original) The system of Claim 33, wherein the deformable panel is coupled to the interior of the upper such that at least a portion of an upper edge of the panel is moveable relative to the inside of the toebox.
- 36. (Original) The system of Claim 27, wherein the footwear system includes one of a skate or a ski boot.
- 37. (Currently Amended) A method for engaging toes of a wearer in an interior of a footwear item, the method comprising:

forming a panel configured to extend at least partially across a toebox of the interior of the footwear item;

positioning the panel at a location inside the toebox of the interior of the footwear item so that the panel is positioned inside the toebox to engage [[an]]a forward edge of at least one of the wearer's toes, said panel being

spaced from the toebox at a mid portion thereof absent the wearer's toes forcing said portion into contact with the toebox; and securing the panel directly to the toebox at the location.

- 38. (Original) The method of Claim 37, further comprising forming the panel from a flexible material.
- 39. (Original) The method of Claim 38, wherein the panel includes a stretchable material.
  - 40. (Original) The method of Claim 38, wherein the panel includes neoprene.
- 41. (Original) The method of Claim 37, wherein the panel is secured at the location using at least one of stitching, adhesive bonding, and thermal welding.
- 42. (Original) The method of Claim 41, further comprising securing the panel to the interior of the footwear item at a plurality of points along at least one of a lower edge of the panel and side edges of the panel.
- 43. (Original) The method of Claim 42, further comprising providing an insole disposed in the interior of the footwear item and securing the panel to the insole.
- 44. (Original) The method of Claim 42, further comprising flexibly joining the panel to the interior of the footwear item so that at least a portion of an upper edge of the panel is moveable relative to the inside of the toebox.